

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
HATTIESBURG DIVISION**

**GULF RESTORATION NETWORK**

**PLAINTIFF**

**v.**

**CIVIL ACTION NO. 2:12-CV-36-KS-JCG**

**CITY OF HATTIESBURG**

**DEFENDANT**

**ORDER**

On July 21, 2017, Defendant filed a Motion to Compel [174]. Local Rule 7 provides: “A party must file a discovery motion sufficiently in advance of the discovery deadline to allow response to the motion, ruling by the court and time to effectuate the court’s order before the discovery deadline.” L.U.Civ.R. 7(b)(2)(C). The pre-hearing discovery deadline is July 31, 2017.

The Court set an expedited briefing schedule on Defendant’s motion so that it could ascertain whether the parties’ dispute could be resolved prior to the discovery deadline. After considering the briefs, the Court concludes that there is insufficient time for the Court to address the motion and for its order to be effectuated before the discovery deadline. Therefore, the Court **denies** Defendant’s Motion to Compel [174].

Regardless, if either party attempts to introduce evidence at the hearing that was not properly disclosed, the opposing party is free to object. Upon a timely and meritorious objection, the Court will apply the four-factored test it applies to all such discovery disputes. *See Geiserman v. MacDonald*, 893 F.2d 787, 791 (5th Cir. 1990). Therefore, the Court advises all parties and counsel to make the required disclosures posthaste.

SO ORDERED AND ADJUDGED this 26th day of July, 2017.

s/Keith Starrett  
UNITED STATES DISTRICT JUDGE